



TOWN OF LOS GATOS
PLANNING COMMISSION MEETING
ACTION MINUTES
TOWN COUNCIL CHAMBERS
110 E. MAIN STREET
WEDNESDAY, JULY 13, 2005 -- 7:00 P.M.

Please refer to compact disk #07-13-05 to hear the entire proceedings of this meeting.

ROLL CALL:

Present: Chair Michael Burke, Vice Chair Phil Micciche, D. Michael Kane (arrived at 7:15 p.m.), Thomas O'Donnell, Lee Quintana, and Joanne Talesfore

Absent: Morris Trevithick
(Chair Burke announced that Mr. Trevithick resigned from the Commission effective immediately due to relocation out of the area.)

Others: Assistant Community Development Director Randy Tsuda, Associate Planner Joel Paulson and Acting Town Attorney Daniel Siegel.

VERBAL COMMUNICATION

Ray Davis Commented on the change in chairmanship of the Planning Commission, a perception that Town is moving away from democracy, the pledge of allegiance at meetings, as well as a memo from the Town Manager and the possible restructuring of the Planning Commission.

APPROVAL OF MINUTES

Ray Davis Commented on the Town providing "action only" minutes rather than verbatim minutes as done in the past.

June 8, 2005 - Motion by Commissioner O'Donnell and seconded by Commissioner Micciche to approve meeting minutes. Passed unanimously 5-0. (Commissioner Kane not in attendance for this vote.)

CONSENT CALENDAR - None

CONTINUED PUBLIC HEARING

ITEM 1 **16750 Farley Road**
Architecture and Site Application S-05-063

Requesting approval of a second story addition on property zoned R-1:8. APN 529-15-097.

PROPERTY OWNER: Glen and Melissa Wagner

APPLICANT: David Britt

(Continued from June 8, 2005)

PUBLIC TESTIMONY - None

MOTION: Commissioner Micciche moved and Commissioner Talesfore seconded to continue this item to August 24, 2005.

Motion carried unanimously 5-0. (Commissioner Kane not in attendance for this vote.)

Commissioner Kane in attendance for the following hearings.

NEW PUBLIC HEARINGS

ITEM 2 **26 Ashler Avenue**
Architecture and Site Application S-05-065

Requesting approval to eliminate a secondary dwelling unit on property zoned R-1D. APN 410-14-042.

PROPERTY OWNER/APPLICANT: Laura Hagan

PUBLIC TESTIMONY by Laura Hagan

MOTION: Motion by Commissioner Talesfore and seconded by Commissioner Micciche to approve Architecture and Site Application S-05-065. The required findings were made as noted in Exhibit A of report dated July 6, 2005 and the application incorporated conditions as noted in Exhibit B of report dated July 6, 2005.

Motion carried 5-1 with Commissioner Quintana dissenting for the following reasons: 1) not consistent with the General Plan H.P.2.1 to encourage the maintenance and improvement of existing housing units and 2) not consistent with General Plan H.P.3.1 to support preservation and conservation of existing housing units that provide affordable housing opportunities thereby limiting future approval of secondary housing units.

Appeal rights recited by Randy Tsuda.

ITEM 3 **111 Church Street**
Conditional Use Permit U-05-001
Architecture and Site Application S-05-002

Requesting approval for additional square footage for a new social hall and for exterior modifications on property zoned RM:5-12. APN 529-28-029
PROPERTY OWNER/APPLICANT: Los Gatos Methodist Church

PUBLIC TESTIMONY by Laura Worthington-Forbes

MOTION: Motion by Commissioner Micciche and seconded by Commissioner Talesfore to approve Conditional Use Permit U-05-001 and Architecture and Site Application S-05-002. The required findings were made as noted in Exhibit D of the report dated July 6, 2005 and the application incorporated conditions as noted in Exhibits F (Architecture and Site Application) of report dated July 6, 2005. This application incorporated conditions as noted in Exhibit E (Conditional Use Permit) of report dated July 6, 2005 with the changes as noted below:

12. TRAFFIC COUNTS: Any future development will include the increased (cumulative) traffic counts **above the baseline** from the following projects:
U-05-001 - 24 ADT, two AM peak hour and two PM peak hour trips
U-02-002 - 262 ADT, two AM peak hour and zero PM peak hour trips
Existing before CUP - 226 ADT, 42 AM peak hour and zero PM peak hour trips

Motion carried 6-0.

Appeal rights recited by Randy Tsuda.

Chair Burke and Commissioner Quintana asked to be recused from discussion of the following item.

ITEM 4 **Zoning Code Amendment A-05-02**

Consider amending the Town Code regarding formula retail stores. It has been determined that this project could not have a significant impact on the environment, therefore, the project is not subject to the California Environmental Quality Act (Section 15061 (b)(3)).
APPLICANT: Town of Los Gatos

PUBLIC TESTIMONY: None

MOTION: Motion by Commissioner O'Donnell and seconded by Commissioner Talesfore to recommend Zoning Code Amendment A-05-02 be forwarded to the Town Council for final consideration.

Motion carried 4-0 with Chair Burke and Commissioner Quintana recused.

This is a recommendation only and will be forwarded to Town Council for final consideration.

CONTINUED OTHER BUSINESS - None

NEW OTHER BUSINESS

ITEM 5 Discussion of structural changes to the Planning Commission

Introduction provided by Randy Tsuda regarding potential structural changes to the Commission. Potential changes include two-year instead of four-year terms, a 5-member Commission vs a 7-member Commission and an implementation of a training period of three to four months for all new Commissioners. Commissioners provided comments on the issues noted in the staff memo as follows:

Commissioner Micciche: Training would be in keeping with procedure, i.e., yearly League of California Cities/Planners Institute and more training by the Planning Division. Should be a change in the Council's process of selecting Commissioners. Candidates should be interviewed and selected after they attend roughly five Commission meetings. Provide candidates with copies of General Plan and Hillside Design Guidelines. To reduce the number of Commissioners is dangerous and should stay at seven due to absences at any given time. Two-year term is a good plan with the option to renew for either two or four-year terms.

Commissioner Talesfore: Learning is an on-going reality for this job. Two-year terms may alter the commitment to the job because of the time it takes to learn the job and could change the pool of Commission applicants. Constant turnover of Commissioners will cause a loss of experience and continuity. Number of Commissioners should stay at seven since it has alleviated the problem of not having enough Commissioners for a quorum. Training is a good idea and suggested the possibility of a mentoring program.

Commissioner Kane: Commissioners need more training; however, there is no substitute for experience. Prospective candidates could attend both Town Council and Planning Commission meetings prior to appointment. The seasoned and knowledgeable current Commissioners help the new Commissioners who are less familiar with all the ordinances, etc. Leadership Los Gatos certainly helps candidates understand the Town better. Need seven Commissioners and shouldn't shorten the term. Training on the General Plan and the Hillside Standards would be essential and this training could be provided by a fourth-year Commissioner for the newest Commissioner.

Commissioner O'Donnell: Seems Council isn't happy with the Commission. Five-member Commission, versus seven, makes no sense since it gives fewer Commissioners more power. Two-year term is too short and if not happy with a Commissioner just don't re-appoint. If Town won't pay for training except for one time per member per term for the yearly League conference, then how do Commissioners get the education necessary to improve.

Commissioner Quintana: Better to have four-year term as two is not long enough. Workload is significant, but shorter agendas have reduced workload and meeting length. Education/training is good, but there is no substitute for actually having to do the work, i.e., on-the-job training. Mentoring is a good idea. A more efficient way to learn is through a study session before each meeting so that all Commissioners have the same information.

Commissioner Burke: This is not an entry level position. There are other committees to serve on before being appointed to the Planning Commission and it's the responsibility of the Council to appoint the most appropriate/experienced person. There is a learning curve to this job and two years would be too short. If we were a 'professional' commission, the five members would be fine; however, since we are citizen volunteers, this is not our main job. Seven Commissioners gives diversity and fewer Commissioners gives more power to fewer people.

PUBLIC TESTIMONY: Ray Davis

Summary comments by Commissioners: 1) Discussed previous terms of office (some Commissioners are appointed to fill an unfulfilled term), 2) need a passion for this job to do it, 3) experienced Commissioners help the less experienced, 4) Commission is appointed to be independent and use best judgement in making decisions, 5) questioned the accuracy of the summary minutes from the retreat (attached to staff report), give more details for a clearer picture of discussions, 6) Commissioners serve at the pleasure of the Council and maybe the Commission needs to do a better job to understand what Council is looking for. Seems to be a communication issue, 7) before items such as the Summary Notes go before Council, allow the Commission the opportunity to provide comments before items are final/approved.

Mr. Tsuda: Comments from this portion of the meeting will be forwarded to Town Council in both CD format and summarized in the staff report going back to Council for a future meeting.

Sub-Committee Reports

General Plan Committee - no comments provided on the June 22, 2005 meeting.

Historic Preservation Committee - Commissioner Kane commented on the small historic homes rebuilt into large homes which creates a neighborhood compatibility issue. Also commented on the attendance by Commissioners Kane and O'Donnell at a training session hosted by the Department of Interior.

Report from Director of Community Development - None

ADJOURNMENT

Chair Burke adjourned the meeting at approximately 9:00 P.M.

TOWN OF LOS GATOS PLANNING COMMISSION
July 13, 2005

Michael Burke, Chair

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APPROVED AS TO FORM AND ATTEST:

Randy Tsuda
Assistant Director of Community
Development

Bud N. Lortz
Director of Community Development

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